

## § 52.321

## 40 CFR Ch. I (7–1–98 Edition)

Section A.1. Budgets for the Denver Nonattainment Area (Modeling Domain) Nitrogen Oxides, as adopted June 15, 1995, effective August 30, 1995.

[37 FR 10855, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.320, see the List of CFR

Sections Affected in the Finding Aids section of this volume.

### § 52.321 Classification of regions.

The Colorado plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Pawnee Intrastate .....	I	III	III	III	III
Metropolitan Denver Intrastate .....	I	III	III	I	I
Comanche Intrastate .....	III	III	III	III	III
San Isabel Intrastate .....	I	III	III	III	III
San Luis Intrastate .....	III	III	III	III	III
Four Corners Interstate .....	IA	IA	III	III	III
Grand Mesa Intrastate .....	III	III	III	III	III
Yampa Intrastate .....	III	III	III	III	III

[37 FR 10855, May 31, 1972, as amended at 39 FR 16346, May 8, 1974; 44 FR 57409, Oct. 5, 1979]

### § 52.322 Extensions.

The Administrator, by authority delegated under section 188(d) of the Clean Air Act, as amended in 1990, extends for one year (until December 31, 1995) the attainment date for the Denver, Colorado, PM-10 nonattainment area.

[60 FR 52315, Oct. 6, 1995]

### § 52.323 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Colorado's plan for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the plan satisfies all requirements of Part D, Title 1, of the Clean Air Act as amended in 1977, except as noted below.

[44 FR 57410, Oct. 5, 1979]

### § 52.324 Legal authority.

(a) The requirements of § 51.230(f) of this chapter are not met since the State lacks the authority to require owners or operators of stationary sources to install, maintain, and use emission monitoring devices and to make periodic reports to the State on the nature and amounts of emissions from such stationary sources.

(b) Delegation of authority: Pursuant to section 114 of the Act, Colorado requested a delegation of authority to

enable it to require sources to install and maintain monitoring equipment and to report periodically on the nature and amount of their emissions. The Administrator has determined that Colorado is qualified to receive a delegation of the authority it requested. Accordingly, the Administrator delegates to Colorado his authority under section 114(a)(1)(B) and (C) of the Act, i.e., authority to require sources within the State of Colorado to install and maintain monitoring equipment and to report periodically on the nature and amount of their emissions.

[37 FR 10855, May 31, 1972, as amended at 46 FR 24182, Apr. 30, 1981; 51 FR 40676, Nov. 7, 1986; 62 FR 2914, Jan. 21, 1997]

### § 52.325 [Reserved]

### § 52.326 Area-wide nitrogen oxides (NO<sub>x</sub>) exemptions.

The Denver Regional Council of Governments (DRCOG) submitted a NO<sub>x</sub> exemption petition to the EPA on May 25, 1994 and submitted supporting documentation via a letter dated August 1, 1994. This petition requested that the Denver metropolitan area, a transitional ozone nonattainment area, be exempted from the requirement to meet the NO<sub>x</sub> provisions of the Federal transportation and general conformity rule with respect to ozone. The exemption request was based on monitoring